

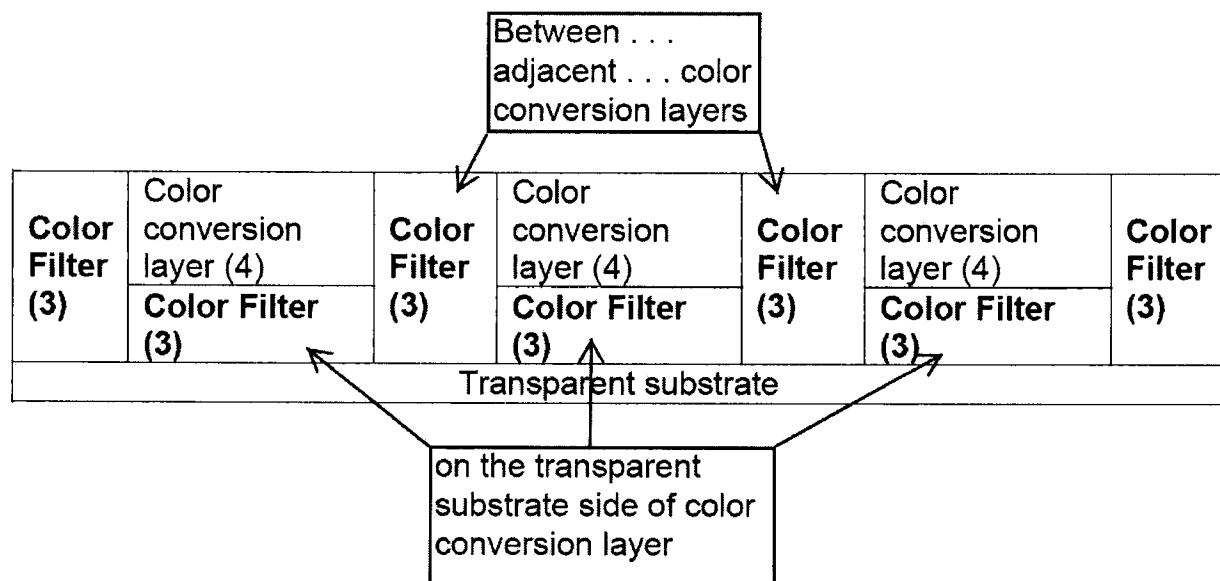
REMARKS

Claims 1-8, 14 and 15 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 2, 6 and 7 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Yamauchi et al. (U.S. Pat. No. 6,512,504; hereinafter "Yamauchi"). This rejection is respectfully traversed.

Independent Claim 1 recites, in part: "said color filter layer being provided on the transparent substrate side of any one of the color conversion layers or between said any one of the color conversion layers and the color conversion layers adjacent to said any one the color conversion layers." An example, of such a structure as recited in Claim 9 is provided in Figure 2, a simplified illustration of which is provided below:



In contrast, Yamauchi discloses the following laminate in view of column 13, line 42 to column 14, line 25 and Fig. 9, a simplified illustration of which is provided below.

Color filter <u>single layer</u> 66
Fluorescent <u>single layer</u> 65
EL <u>single layer</u> 61
Cathode <u>single layer</u> 61
<u>pixel</u> electrode <u>single layer</u> 60

Initially, Yamauchi does not disclose any “color conversion layer” as recited in Claim 1. Instead, Yamauchi discloses only a fluorescent body single layer 65, which is not useful as a color conversion layer. Moreover, the color filter single layer 66 of Yamauchi is the outer layer, and therefore, is not on the substrate side of the fluorescent single layer 65, even if *arguendo*, this fluorescent layer 65 could somehow properly be considered a color conversion layer.

This rejection combines various features of Fig. 9 and Fig. 11 of Yamauchi in attempting to cobble together Applicant's invention as recited in the claims. This is improper, since Fig. 9 is a sectional structure of a pixel portion of an EL display, while Fig. 11B is a sectional structure of an overall EL display device. The pixel portion of Fig. 9 is described in relation to Embodiment 4, and the display device of Fig. 11 is described in relation to Embodiment 10. Thus, the fact that the EL device itself of Embodiment 10 and Fig. 11 includes a device substrate 4001 does not disclose or suggest anything to one of ordinary skill in the art about the structure of the pixel portion of Fig. 9 and Embodiment 4 and *vice versa*. Stated another way, the device substrate 4001 is completely separate and distinct from the claimed “color conversion member.”

Moreover, Applicant believes substrate 4001 of Fig. 11 would be positioned below Fig. 9. Thus, the color filter layer 66 of Yamauchi is on the opposite side of the fluorescent layer (even assuming *arguendo* it could be considered a color conversion layer), and not “on the transparent substrate side. . . of the color conversion layers” as recited in Claim 9.

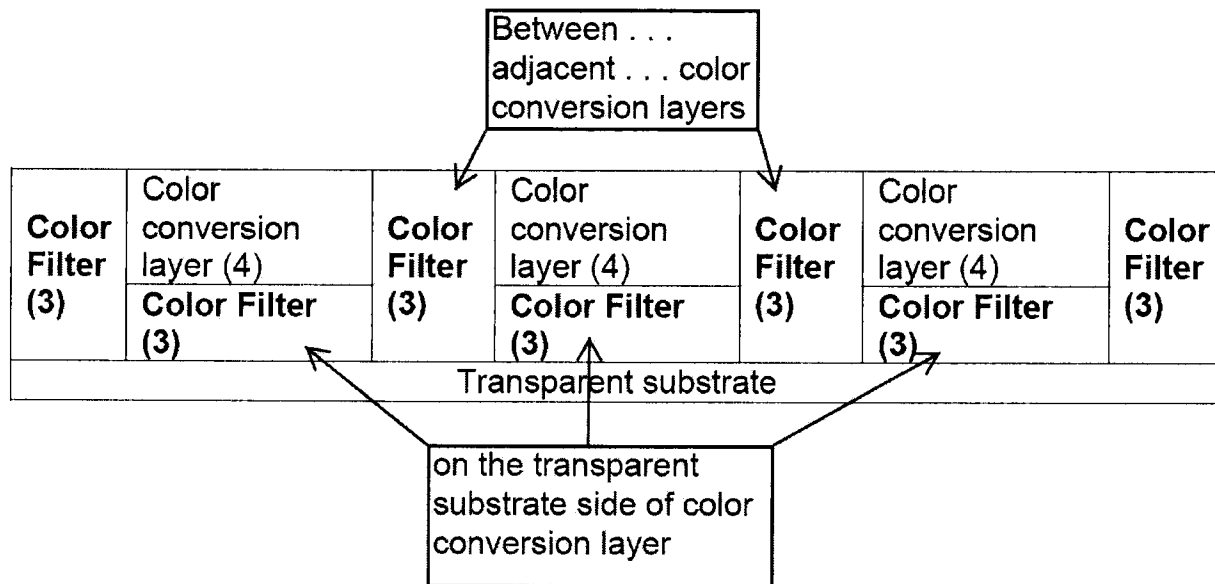
Accordingly, Applicant respectfully asserts that Tanaka fails to disclose or suggest “said color filter layer being provided on the transparent substrate side of any one of the color conversion layers or between said any one of the color conversion layers and the color conversion layers adjacent to said any one the color conversion layers” as recited in Claim 9. Since each of the remaining rejected claims depends from independent Claim 9, directly or indirectly, Applicant respectfully asserts that they are likewise patentable for at least the reasons discussed above regarding Claim 9.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-8, 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada et al. (U.S. Pat. No. 6,072,450; hereinafter “Yamada”) in view of Okabe et al. (U.S. Pat. No. 6,450,635; hereinafter “Okabe”). This rejection is respectfully traversed.

The rejection alleges that Yamada discloses the elements of Claim 9, except a color conversion layer having a stepped convex surface. Yamada, however, lacks far more than the stepped convex surface of Claim 9. For example, as noted above, independent Claim 1 recites, in part: “said color filter layer being provided on the transparent substrate side of any one of the color conversion layers or between said

any one of the color conversion layers and the color conversion layers adjacent to said
any one the color conversion layers.” An example, of such a structure as recited in
Claim 9 is provided in Figure 2, a simplified illustration of which is provided below:



In contrast, Yamada discloses the following laminate in view of column 12, line 49 to column 13, line 65 and Figure 15, a simplified illustration of which is provided below.

Black Mask 54	Color filter 55R	Black Mask 54	Color filter 55R	Black Mask 54	Color filter 55R	Black Mask 54
	Wavelength conversion layer 57R		Wavelength conversion layer 57R		Wavelength conversion layer 57R	
	Black mask 54		Black mask 54		Black mask 54	
Voltage electrode 17						
Substrate 2						

As can be seen above, and like Yamauchi discussed above, the color filter of Yamada is an outermost layer. Thus, it is positioned on the opposite side of the

wavelength conversion layer 57 to that claimed; i.e., the side away from substrate 2. Thus, Yamada does not disclose or suggest “said color filter layer being provided on the transparent substrate side of any one of the color conversion layers” as recited in Claim 9, but instead discloses providing black mask 54 (not a color filter) in the recited location.

In addition, the color conversion layer of Claim 9 can be provided “between said any one of the color conversion layers and the color conversion layers adjacent to said any one the color conversion layers.” Yamada similarly discloses providing black mask 54 in this location also. Thus, Yamada does not disclose or suggest “said color filter layer being provided on the transparent substrate side of any one of the color conversion layers” as recited in Claim 9, but instead discloses providing black mask 54 (not a color filter) in the recited location.

Okabe likewise fails to disclose or suggest “said color filter layer being provided on the transparent substrate side of any one of the color conversion layers or between said any one of the color conversion layers and the color conversion layers adjacent to said any one the color conversion” as recited in Claim 9, since Okabe only discloses a color filter, and not any color conversion layer.

Independent Claim 15 recites in part: “the color filter layer being provided on the transparent substrate side of any one of the color conversion layers.” As discussed above, neither Yamada, nor Okabe disclose or suggest this feature. Additionally, since Okabe only discloses a color filter and not any color conversion layer it does not provide any reason for one skilled in the art to provide a “stepped convex surface toward the

transparent substrate" on both a color filter layer and a color conversion layer as recited in Claim 15.

For at least the reasons discussed above, Applicant respectfully asserts that each of independent Claims 9 and 15 are not disclosed or suggested by the combination of Yamada and Okabe as described in this rejection. In addition, since each of the remaining rejected claims depends, directly or indirectly, from independent Claim 9, Applicant respectfully asserts that they are likewise patentable over this rejection for at least the reasons discussed above.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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